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ATTORNEYS FOR PLAINTIFF

**MONTANA SIXTEENTH JUDICIAL DISTRICT COURT, CARTER COUNTY**

GEORGE J. ALLISON, JR.,

Plaintiff,

vs.

PRICE GREGORY INTERNATIONAL,  
INC., a Texas Corporation,

Defendant.

Cause No. DY-6-2013-17-NI

Hon. George W. Huss

**COMPLAINT AND DEMAND  
FOR JURY TRIAL**

COMES NOW, the Plaintiff in the above entitled action and for his cause of action  
against the Defendant, alleges as follows:

I.

At all times pertinent hereto, the Defendant is a Texas Corporation, duly authorized to  
conduct business in the State of Montana and was conducting business under the laws of the



1 said eastbound traffic lane.

2  
3 V.

4 The hazardous condition, created by the Defendant's aforesaid negligence, left Plaintiff  
5 with no options other than to turn to his right and lay his motorcycle on its side to avoid being  
6 struck by the pipe extending from the rear of Defendant's trailer. The combination of the  
7 steerable trailer with the pipe overhang created a foreseeable ultra hazardous condition that  
8 required warning the unsuspecting traveling public, such as the Plaintiff, of the danger by means  
9 of signs and/or flagmen. Further, the Defendant's driver employee, knew or should have known  
10 of the hidden danger posed by the combination of the steerable trailer with the pipe overhang.  
11 Defendant's driver, through errors of omission or commission negligently failed to keep a proper  
12 lookout to his rear before driving the trailer onto the eastbound traffic lane.  
13

14 VI.

15 As a result of having to lay his motorcycle over its side as the only way to avoid the rear  
16 end of the trailer and the pipe overhang, the Plaintiff's body was thrown from the motorcycle and  
17 skidded and tumbled through the gravel on the shoulder of the road and then into the ditch for a  
18 distance of approximately 200 feet causing personal injuries to the Plaintiff as hereinafter set  
19 forth.  
20

21 VII.

22 As the direct and proximate result of the negligence and carelessness of the Defendant,  
23 the Plaintiff sustained serious ligamentous, muscular, nerve and soft tissue damage to his torso  
24 and extremities which have caused, now cause and in the future will continue to cause severe and  
25 permanent injuries. The Plaintiff sustained a closed head, brain-bleed injury, which resulted in  
26  
27



DATE 7/20/2016  
TIME SERVED 1417  
19 mmm OFFICER

COPY

**MONTANA SIXTEENTH JUDICIAL DISTRICT COURT  
CARTER COUNTY**

GEORGE J. ALLISON, JR.,

Plaintiff,

vs.

PRICE GREGORY INTERNATIONAL,  
INC., a Texas Corporation.

Defendant.

Cause No. DV-6-2013-17-PI

*Honorable Nickolas C. Murnion*

SUMMONS

THE STATE OF MONTANA, To the above named Defendant, Greetings:

To: Price Gregory International, Inc., a Texas Corporation

*Corporation Service Company  
26 W 5th Ave  
Helena MT 59604*

You are hereby summoned to appear and answer the Complaint in this action, which is filed in the above-entitled Court before the District Court Judge in and for the County of Carter and State of Montana, at the Carter County Courthouse, Ekalaka, Montana, and to file your answer and serve a copy thereof upon the Plaintiff or upon either of the Plaintiff's attorney within twenty one (21) days after service of this Summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

WITNESS my hand and the seal of said Court this 18<sup>th</sup> day of May, 2016.



**George J. Allison vs. Price Gregory International, Inc.,**

Filed: 7/24/2013  
Subtype: Personal Injury/Death

**Status History**

Open 7/24/2013

**Plaintiffs**

Pl. no. 1 Allison, George J.

**Attorneys**

Hanson, Terry J. (Primary attorney) Send Notices

**Defendants**

Def. no. 1 Price Gregory International, Inc.,

**Judge History**

Date	Judge	Reason for Removal
7/24/2013	Huss, George W.	Retired
1/5/2016	Hayworth, Michael B.	Recused
3/17/2016	Murnion, Nickolas C	Current

**Register of Actions**

Doc. Seq.	Entered	Filed	Text	Judge
1.000	07/24/2013	07/24/2013	Complaint and Demand for Jury Trial	Huss, George W.
2.000	08/22/2013	08/22/2013	Pro Hac Vice Application	Huss, George W.
3.000	09/05/2013	09/05/2013	Motion for Admissions Pro Hac Vice	Huss, George W.
4.000	09/06/2013	09/06/2013	Order for Admission Pro Hac Vice	Huss, George W.
5.000	03/15/2016	03/15/2016	Notice of Failure to Prosecute	Hayworth, Michael B.
6.000	05/18/2016	05/18/2016	Response to Notice of Failure to Prosecute	Murnion, Nickolas C
7.000	05/18/2016	05/18/2016	Summons: Issued	Murnion, Nickolas C
8.000	05/18/2016	05/18/2016	Summons: Summons: Issued to George J. Allison on 5/18/2016; Service Fee of \$0.00. mailed back to Terry Hanson	Murnion, Nickolas C
9.000	07/11/2016	07/11/2016	Summons: Issued	Murnion, Nickolas C